

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the claims

Claims 1 and 3 were amended in the previous response and the Examiner acknowledged entering the amendments to the claims in the Advisory Action dated June 16, 2006, no new matter has been added.

Claim 25 is currently amended. No new matter is added.

Claim 6 was previously cancelled without prejudice or disclaimer of the subject matter therein.

Claims 7-24 have been withdrawn from consideration.

Claims 26, 27 and 28 have been added. The new claims depend on claim 25 and are supported by the specification. Specifically, claim 26 is supported on page 14 by lines 8-10; claim 27 is supported on page 17 by lines 6-9; and claim 28 is supported on page 18 by lines 28-31. No new matter has been added.

Claims 1-5 and 25-28 are presented for examination. Applicants have filed the present amendment to add claims 26-28. The arguments presented in the Response filed May 23, 2006 are reproduced below for entry and consideration.

II. Status of Claim 3

Applicants note that the rejections under 35 U.S.C. § 112 to claim 3 have been overcome and no other rejection based on informalities are listed. Further, claim 3 is not now or previously

rejected on prior art grounds. Applicants contend that claim 3 is allowable over the art of record and have placed the claim in independent form. Applicants request that either claim 3 is identified as allowable or the grounds for the rejection of claim 3 be presented in a new action and the time period for response is reset.

III. Rejections under 35 U.S.C. §102

Claims 1, 2, 4, and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by Cerutti et al. (“Cerutti”) (US 5,273,557) or Fuller et al. (“Fuller”) (US 4,919,220). Claims 1, 4, and 6 are also rejected under 35 U.S.C. §102(b) as being anticipated by Cho et al. (“Cho”) (US 5,151,107) or General Electric (EP 402 671). Claim 6 has been cancelled and its elements incorporated into claim 1. Applicants respectfully traverse the rejections.

In the response to the previous Office Action dated December 27, 2005, Applicants argued that a presence of diffusion layer in the bonding structure of claim 1 could not be anticipated by any reference cited by the Examiner. The Examiner currently asserts that Applicants' argument that technology of Cerutti, Fuller, and General Electric were conventional brazing were not acceptable, since the Examiner interpreted the language of claims to not distinguish over the prior art.

However, in the former arguments, Applicants explained that none of documents recited by the Examiner included a description of a *diffusion layer*, the presence of which was and is clearly described in claims of the present application. The presence/absence of the diffusion layer is a feature clearly distinguishing a bonding layer in a bonding structure of the present application and that of the prior art. Applicants respectfully submit an explanation below as to why the diffusion

layer of the present application cannot be formed by brazing described in Cerutti, Fuller, and General Electric.

The Examiner described that each documents described a “wetting of the substrate and a diamond layer.” However, wetting does not does not equate to the formation of a diffusion layer. Wetting is a phenomena related to an interface between the blazing alloy and a substrate. When a blazing alloy spreads smoothly on a surface of the substrate without being detached from the substrate by a surface tension of molten alloy, the state is described that “the substrate is wetted by the brazing alloy.” That is, *wetting does not equate to diffusion* of metallic element of the alloy into the substrate.

Explanation of a diffusion layer

The claims of the present application clearly recite the presence of diffusion layer in the bonding layer. In the diffusion layer, metal diffuses into the carbide, or into the diamond. In solid state material science, “diffusion” is a well known term indicating a well known concept. Therefore, the meaning of the term “diffusion layer” is know to those of ordinary skill in the art.

For example, in a simple approximation, a migration length x of an atom by diffusion in a time period of t may be expressed by a formula:

$$x = (D \cdot t)^{1/2}$$

where, x is a migration length, t is time, and D is a diffusion coefficient related to a material property, temperature, pressure or the like. Note that the present application and claims are not limited by the above formula. However, the formula is sufficient to show that diffusion is a time-dependent phenomenon.

Since migration length of an atom is dependent on a time, when diffusion occurs between two different materials, compositional distribution of an element across the interface between the two materials change from discontinuous stepwise distribution to continuous distribution which is called a diffusion profile. In support this explanation, Applicants submit a figure in a text book as an example of a diffusion profile below. (Fig. 2.3 from *Stability of Microstructure in Metallic Systems*, 1997, Martin et al. Eds., Cambridge University Press, p 37. The figure shows a diffusion profile of Ni at Cu-Ni interface. Bibliographic information and page 37 attached hereto as Exhibit A).

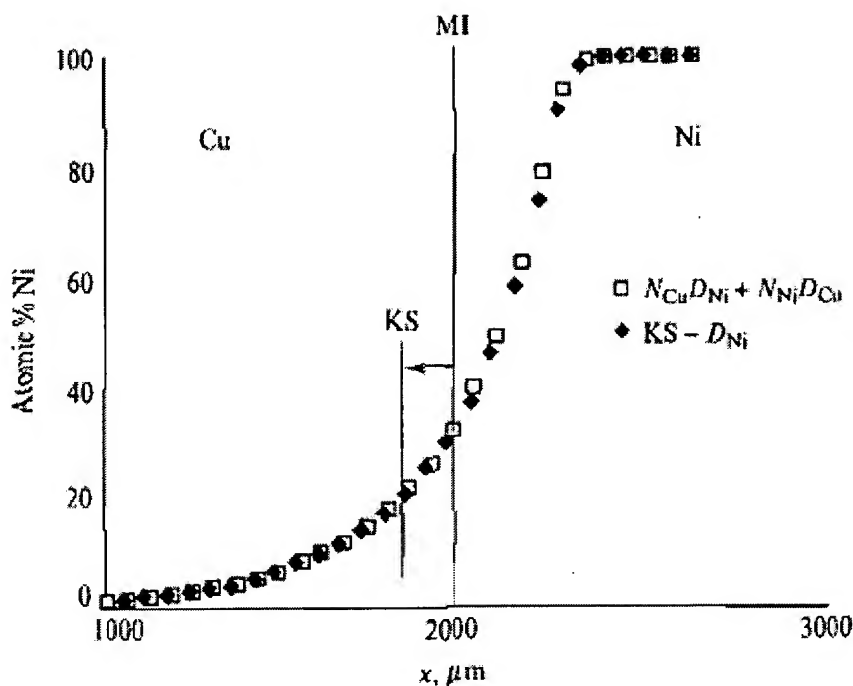


Figure 2.3 Composition profile of nickel in the interdiffusion at 1323 K for 312 h of pure copper initially at $x \leq 1995 \mu\text{m}$, and pure nickel, at $x \geq 1995 \mu\text{m}$, simulated (i) by the individual diffusion coefficient, D_{Ni} in the Kirkendall shift modified diffusion equation, eqs. (2.4b) as 'KS' D_{Ni} and (ii) by use of Darken's expression for the interdiffusion coefficient, eq. (2.10) in the standard diffusion equation, eq. (2.4a), as $N_{\text{Cu}}D_{\text{Ni}} + N_{\text{Ni}}D_{\text{Cu}}$. The Matano interface, found at the initial interface at $1995 \mu\text{m}$, is shown as the vertical line and the shift of the interface markers is indicated by the arrow marked KS. The two profiles are identical. Doherty (1993).

From the elements in the claims of the present application, it is obvious to one of ordinary skill in the art that in the diffusion layer of claim 1, a distribution of metallic composition changes continuously from a metal composition (or metal-rich composition) to a composition of the cemented carbide or the diamond.

Applicants further submit the differences between a diffusion layer and brazing with good wetting. The following is schematic drawings indicating a difference between a bonding structure

having diffusion layers, and a bonding structure by brazing. It should be noted, the present application and claims are not limited by the drawing.

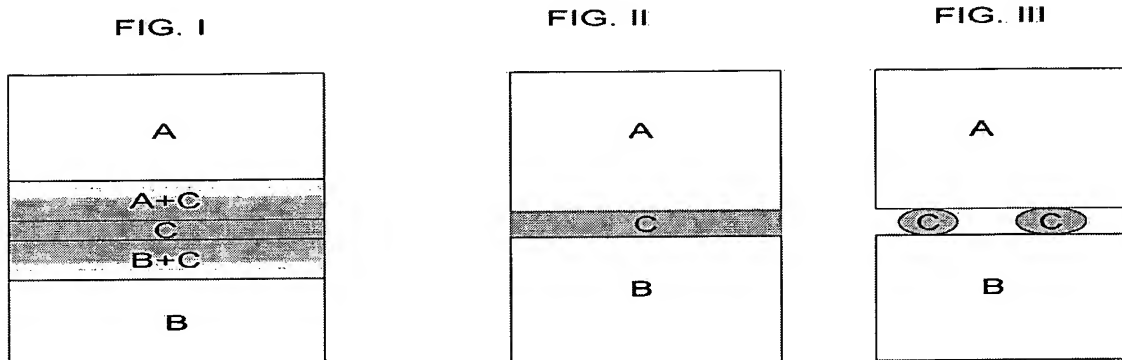


FIG. 1 exemplifies a case in which a metal C is inserted between two materials A and B, and diffusion layers are formed between the metal and the materials. Each diffusion layer contains an element composing the material (A or B) and a metallic element (C), and concentration of the metallic element changes continuously in the diffusion layer.

In contrast, FIG. II, and FIG. III exemplify cases in which two materials A and B are bonded with each other using a brazing alloy C. In general, distribution of a metallic element changes discontinuously at the interface between A and C, or B and C. When the brazing is performed with a good wetting, molten alloy C spreads smoothly at the interface, while metal C is detached from the interface when the molten alloy does not have good wetting property.

Regarding the bonding strength, a bonding structure comprising a diffusion layer in which composition (and property) changes continuously has a superior bonding strength compared with a brazed bonding with good wetting property.

Distinguishing Cerutti from Claim 1 of the present application

Cerutti discloses a polycrystalline diamond compact directly brazed to the drill bit. In this case, the polycrystalline diamond compact is not supported with tungsten carbide or the like (column 3, lines 33-35). Therefore, Cerutti does not disclose a bonding structure of a cemented carbide and a diamond. Regarding the description of wetting (column 3, lines 34-35) recited by the Examiner, the related part (column 3, lines 33-46) merely describes that the polycrystalline diamond compact can be coated with a metal to confirm wetting of the diamond by brazing alloy. One of ordinary skill in the art is aware that the description in Cerutti has no relation to the diffusion layer of the present application, as claimed.

Distinguishing Fuller from Claim 1 of the present application

Fuller describes bonding of polycrystalline diamond cutting element and tungsten carbide. The description recited by the Examiner (column 4, lines 59-60), describes that element of the brazing alloy “will react with the surface of the cutting element and react with diamond (carbon atom) to form a carbide layer.” In this description, “wetting” is a surface phenomena between the diamond cutting element and the brazing alloy by a reaction of metallic element with surface carbon atoms of diamonds.

For example, FIG. 8 corresponds to a description of an embodiment (column 6, lines 4-16) in which cutting element (diamond) 30 is bonded to the backing element (cemented carbide) 31 by brazing, with metallic shim 34 sandwiched between the cutting element and the backing element. In

FIG. 8, no substantially recognizable layer is formed between the diamond 30 and brazing alloy 35, or between the tungsten carbide 31 and the brazing alloy 35.

Distinguishing General Electric from Claim 1 of the present application

General Electric describes a brazing of a diamond layer formed by CVD to a tungsten carbide. The description recited by the Examiner (column 8, line 47) describes melting a braze (brazing alloy) and bonding it to a diamond layer and a carbide layer. However, recited description (column 8, line 48) also describes that the brazing operation is accomplished in a matter of seconds. Such a short period of time is not sufficient to form a substantial diffusion layer by a time-dependent diffusion process.

Distinguishing Cho from Claim 1 of the present application

The cutting element described in Cho is a compact of diamond grains respectively coated with metal coatings such as tungsten (column 4, lines 17-26). Optionally uncoated particles may be dispersed between the coated particles (column 4, lines 37-42). The matrix of the compact may comprise a binding aid. As a binding aid, Co is less preferable because of decreased mechanical properties and thermal properties (Column 4, line 33-36).

The description recited by the Examiner is related to an embodiment in which the compact comprises a coated diamond, uncoated diamond, and Co as a binding aid. An example of such an embodiment is described in Example 1.

The description recited by the Examiner (Column 9, 1-3), is not related to a bonding structure between the diamond-rich compact and the cemented carbide element, but is related to internal texture of the compact. From the related description (column 8, lines 65 to column 9, line 4), and from the description of Example 1 (column 12, lines 54-57), it is obvious that the recited part merely describes an effect of containing uncoated diamond by which reduction of thermal stability caused by a presence of Co can be inhibited. That is, the description is not related to the bonding structure of diamond element and cemented carbide element.

In addition, as was described in the former arguments, the description of Co diffusion in this part relates to a broad diffusion having influence on a whole portion of the diamond-bearing compact. A diffusion layer as a constituent of a bonding structure of a diamond element and a cemented carbide element is not described in Cho. As shown in the description of Example 1 (column 12, lines 10-18), Co cemented tungsten carbide is placed on raw materials of diamond-bearing compact before compaction, and subsequently compacted. In such operation, Co is dispersed in whole portion of the compact and does not form a recognizable diffusion layer having obvious diffusion profile.

Independent claim 1, and claims 2, 4, and 25 depending on claim 1, describes a bonding layer in which a region of a cemented carbide element or a diamond element influenced by the diffusion has distinguishable difference in metal content compared with a region of a cemented carbide element or a diamond element not influenced by the diffusion. Therefore, the diffusion

Claim 5 depends from claim 1 and therefore, the combination asserted by the Examiner cannot teach the similar constitution of claim 5. Applicants respectfully request allowance of claim 5.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: June 23, 2006

Respectfully submitted

By

Louis J. DeJuidice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant

BEST AVAILABLE COPY

Stability of microstructure in metallic systems

Second edition



J.W. Martin

Department of Materials, University of Oxford

R.D. Doherty

Materials Engineering, Drexel University

B. Cantor

Department of Materials, University of Oxford

 **CAMBRIDGE**
UNIVERSITY PRESS

BEST AVAILABLE COPY

PUBLISHED BY THE PRESS SYNDICATE OF THE UNIVERSITY OF CAMBRIDGE
The Pitt Building, Trumpington Street, Cambridge CB2 1RP, United Kingdom

CAMBRIDGE UNIVERSITY PRESS
The Edinburgh Building, Cambridge CB2 2RU, United Kingdom
40 West 20th Street, New York, NY 10011-4211, USA
10 Stamford Road, Oakleigh, Melbourne 3166, Australia

© Cambridge University Press 1976, 1997

This book is copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without
the written permission of Cambridge University Press.

First published 1976
First paperback edition 1980
Second edition 1997

Printed in the United Kingdom at the University Press, Cambridge

Typeset in 10½ on 13¼pt Monotype Times

A catalogue record for this book is available from the British Library

Library of Congress cataloguing in publication data

Martin, J.W. (John Wilson), 1926–
Stability of microstructure in metallic systems / J.W. Martin,
R.D. Doherty, B. Cantor – 2nd ed.
p. cm.
Includes bibliographical references and index.
ISBN 0-521-41160-2 (hb). ISBN 0-521-42316-3 (pb)
1. Physical metallurgy. 2. Stability. Metal crystals --
Defects. I. Doherty, R.D. (Roger Davidge), 1939–
II. Cantor, B. III. Title.
TN690.M2664 1997
620'.94-dc20 96-11097 CIP

ISBN 0 521 41160 2 hardback
ISBN 0 521 42316 3 paperback

The local volume, $\Delta x'$ or $\Delta V'$, changes by virtue of creation or destruction of vacancies, when $D_A \neq D_B$ in substitutional diffusion. So in a system such as Ni-Cu, where $D_{Cu} > D_{Ni}$, there is a reduction of the local lengths in the copper rich regions due to the net loss of atoms or, more accurately, atom sites. The net loss of atom sites results in negative values of $d(\Delta x')/dt$ so producing an *increase* in the solute composition, eq. (2.4b). Figs. 2.3–2.5 show the results of two numerical simulations of Ni-Cu interdiffusion at 1323 K for 312 h, a situation previously studied experimentally by da Silva and Mehl (1951). In fig. 2.3 the interdiffusion had been simulated both using the standard equation, eq. (2.4a), with the Darken form of the interdiffusion coefficient, D , eq. (2.10), and also using the modified (lattice) diffusion equation, eq. (2.4b), but with the individual diffusion coefficients, D_{Cu} or D_{Ni} , for profiles calculated for either element as the solute A. It is clear that both simulations give identical profiles and these profiles were found to be almost identical to the experimental profile. Fig. 2.4 gives the simulated Kirkendall marker shifts for markers placed at the initial interface – these markers move into copper with a displacement that scales with the square root of time with a constant composition as seen experimentally. The magnitude of both the shift and the local composition at the interface markers also matched the experimental values reported by da Silva and Mehl (1951). Movement of

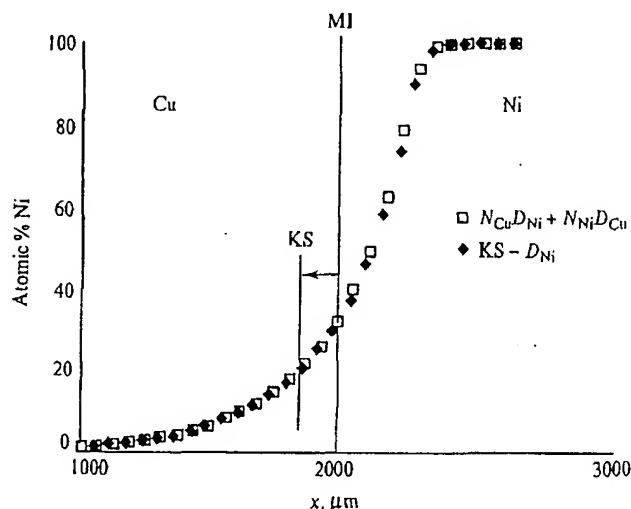


Figure 2.3 Composition profile of nickel in the interdiffusion at 1323 K for 312 h of pure copper initially at $x \leq 1995 \mu\text{m}$, and pure nickel, at $x \geq 1995 \mu\text{m}$, simulated (i) by the individual diffusion coefficient, D_{Ni} in the Kirkendall shift modified diffusion equation, eqs. (2.4b) as 'KS' D_{Ni} and (ii) by use of Darken's expression for the interdiffusion coefficient, eq. (2.10) in the standard diffusion equation, eq. (2.4a), as $N_{Cu}D_{Ni} + N_{Ni}D_{Cu}$. The Matano interface, found at the initial interface at $1995 \mu\text{m}$, is shown as the vertical line and the shift of the interface markers is indicated by the arrow marked KS. The two profiles are identical. Doherty (1993).